

1 JUDGE MARSHA J. PECHMAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 UNITED STATES OF AMERICA,) NO. CR05-317-MJP
10 Plaintiff,)
11 vs.) 2ND AMENDED ORDER ON
12 TAM VAN DANG and SANXAY) STIPULATED MOTION
HANG XAYADETH,) TO CONTINUE PRETRIAL MOTIONS
13 Defendants.) FILING DATE AND TRIAL DATE
14 _____)
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THE COURT having considered the stipulation of the parties, the records and
files herein, and the motion for continuance of pretrial motions date, the Court hereby
makes the following findings:

1. The Court finds that a failure to grant the continuance would deny counsel
the reasonable time necessary for effective preparation, taking into account the exercise
of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

2. The Court further finds that the ends of justice will be served by ordering a
continuance in this case, that a continuance is necessary to insure effective trial
preparation and that these factors outweigh the best interests of the public and the
defendants in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

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2 IT IS THEREFORE ORDERED that the time within which pretrial motions must
3 be filed in this case is extended from September 29, 2005 to December 1, 2005 and the
4 trial date from October 26, 2005 to January 23, 2006.

5 IT IS FURTHER ORDERED THAT the time period between October 26, 2005
6 and January 23, 2006 is excludable time, pursuant to 18 U.S.C. § 3161(h)(8)(A), for the
7 purposes of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C.
8 § 3161-3174.

9 DONE this 3RD day of November, 2005.

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11 /S/Marsha J. Pechman
12 HONORABLE MARSHA J. PECHMAN
UNITED STATES DISTRICT JUDGE

13 Presented by:

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